

EXHIBIT S

Rayo Antonio

From: Witty, Cayla <Cayla.Witty@lewisbrisbois.com>
Sent: Wednesday, September 03, 2014 4:03 PM
To: J Tostrud; Foley, Margaret
Cc: Anthony Carter; Freeman, Robert; Kara Wolke; Rayo Antonio; Marc L. Godino; David O'Mara, Esq.; Freeman, Kristen; Thayer, Lisa
Subject: RE: UMC -- Departmental Indices and COR's
Attachments: Boulder QC wk1.pdf; HIM wk1.pdf; Rancho wk1.pdf; Social Services wk1.pdf; Transplant wk1.pdf

Counsel Tostrud:

In response to your requests below, please find attached custodian of record declarations for Boulder Quick Care, Health Information Management, Rancho Quick Care, Social Services, and Transplant Services form the first week production. For the Patient Accounting and Spring Valley Quick Care COR declarations as well as indices and COR declarations for the second week production, we hope to provide those all by this Friday. We will be in touch either way as an update to you.

As for your assertion that we have failed to comply with an order to produce information in certain fashions, we ask that you not jump to accusatory and immovable positions. With regard to the format of the indices and COR declarations, we should engage in meet and confer on these topics. UMC asks this as there are very distinct reasons that prevent the specific formats that Plaintiffs point out are allegedly deficient in the indices and COR declarations. Please advise if you are available tomorrow afternoon, Friday, or perhaps Monday to discuss these logistical issues.

With the mention of contacting Special Master Garrie, UMC must point out that the Special Master has entered his Report and Recommendation and is no longer in a role to review discovery disputes. Again, we note that there are substantive reasons for the alterations from the previous forms circulated, and we should meet and confer on this topic before rushing to judicial intervention.

Thank you for your time and attention to these issues.

Cayla*

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From: Jon Tostrud [mailto:jtostrud@tostrudlaw.com]

Sent: Wednesday, September 03, 2014 7:16 AM

To: Witty, Cayla; Foley, Margaret

Cc: Anthony Carter; Freeman, Robert; Kara Wolke; Rayo Antonio; Marc L. Godino, Esq.; Jon Tostrud; David O'Mara, Esq.

Subject: UMC -- Departmental Indices and COR's

Counsel Witty:

I am in receipt of the latest disk containing departmental documents, as well as your cover letter accompanying the disk. First, Plaintiffs have not received the indices and COR's associated with these disks. Please provide an update on when those will be produced?

Second, and with respect to the indices and COR's accompanying the first production of departmental documents, UMC failed to comply with Special Master Garrie's order on indices and COR declarations.

With respect to the indices, UMC has not provided the information with a breakdown by opt-in.

With respect to the COR declaration, there is no chart identifying the categories of documents included in the production.

Plaintiffs trust that UMC will immediately correct these errors. If UMC does not intend to comply with Special Master Garrie's order on these issues, please advise Plaintiffs no later than close of business today and we will contact Special Master Garrie.

I am free to discuss these issues should you have any questions or seek clarification.

Regards,
Jon

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